

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS PICOZZI,
Plaintiff,

v.

JOSEPH MCKEOWN, *et al.*,
Defendants.

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CIVIL ACTION NO. 18-CV-1998

ORDER

AND NOW, this 16th day of May, 2018, upon consideration of Plaintiff Thomas Picozzi's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1) and his *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.

2. Picozzi's Complaint is **DISMISSED** in accordance with the Court's Memorandum. Any federal claims brought pursuant to 42 U.S.C. § 1983 are **DISMISSED with prejudice** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). Any state law claims are **DISMISSED without prejudice** to Picozzi filing them in state court, or filing an amended complaint in this action within thirty (30) days of the date of this Order in the event that he can state a claim within this Court's jurisdiction. Any amended complaint must identify all defendants in the caption and clearly state the basis for Picozzi's claims against each defendant. If Picozzi files an amended complaint, the Clerk of Court shall not make service until so **ORDERED**.

3. The Clerk of Court is **DIRECTED** to furnish Picozzi with a blank copy of this Court's current standard form to be used by a *pro se* litigant filing a civil action bearing the above-captioned civil action number.

4. If Picozzi fails to file an amended complaint, his case may be dismissed for failure to prosecute without further notice.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.